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7 ANDY LASHAWN FORTNER,  
8 Plaintiff,  
9 v.  
10 LAKE COUNTY JAIL,  
11 Defendant.

Case No. 25-cv-02615-HSG

**ORDER OF DISMISSAL**

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13 Plaintiff has filed a *pro se* action pursuant to 42 U.S.C. § 1983. On May 5, 2025, the Court  
14 dismissed the complaint for failure to state a claim, and granted Plaintiff leave to file a first  
15 amended complaint that addressed the identified deficiencies. Dkt. No. 25. Plaintiff filed a first  
16 amended complaint, which the Court dismissed for failure to state a claim on May 19, 2025. Dkt.  
17 No. 28. The Court ordered Plaintiff to file an second amended complaint by June 16, 2025, or  
18 face dismissal of this action. *Id.* The deadline has passed, and Plaintiff has not filed a second  
19 amended complaint. Accordingly, the Court DISMISSES this action for failure to state a claim.  
20 The dismissal is without prejudice to filing a motion to reopen, accompanied by a proposed  
21 second amended complaint that addresses the deficiencies identified in the Court's May 19, 2025  
22 Order, and explaining why Plaintiff failed to timely file a second amended complaint. Judgment is  
23 entered in favor of Defendant and against Plaintiff. The Clerk is directed to close the file.

24 **IT IS SO ORDERED.**

25 Dated: 7/14/2025

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HAYWOOD S. GILLIAM, JR.  
United States District Judge